



## LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

**Via Certified Mail, Return Receipt Requested and via email**

August 29, 2013

Jeff Collier, City Manager  
City of Whittier  
13230 Penn Street  
Whittier, California 90602-1772  
[jcollier@cityofwhittier.org](mailto:jcollier@cityofwhittier.org)

### **DISTRICT CONSIDERATION OF PROPOSED CHANGE OF USE AND DISPOSITION RELATED TO THE WHITTIER MAIN OIL FIELD PROJECT ON LAND PURCHASED WITH PROPOSITION A FUNDS**

Dear Mr. Collier:

The Los Angeles County Regional Park and Open Space District (District) is currently reviewing the Whittier Main Oil Field Development Project (the "Project") which involves leasing approximately 1,280 acres of open space in the Whittier Hills (the "Whittier Hills Property") that the City of Whittier ("Whittier") acquired using funds from the Los Angeles County Proposition A, Safe Neighborhood Parks, Gang Prevention, Tree-Planting, Senior and Youth Recreation, Beaches and Wildlife Protection ("Proposition A") enacted by County voters in 1992. The Project would involve oil and gas exploration, drilling, processing, and production by the Matrix Oil Corporation and Clayton Williams Energy, Inc. (collectively "Matrix"). The District requests that Whittier submit any additional materials to the District that Whittier believes will aid the District in its review of the Project under the Project Agreement and Proposition A.

On July 6, 1993, Whittier adopted Resolution No. 6416 approving the filing of an application with the District for funds under section 8(b)(2) QQ of Proposition A, which stated that Whittier certifies that it "understands the assurances and certifications in the application." The assurances in Whittier's Proposition A application, which are incorporated into the Project Agreement, state that Whittier will "use the property only for the purposes of the Proposition and will make no other use, sale, or other disposition of the property except as authorized by specific act of the Board of Supervisors as the governing body of the District." Whittier entered into a Project Agreement with District ("Project Agreement"), pursuant to which Whittier received Proposition A funds to acquire and to preserve natural lands and open space in the Whittier Hills. In the Project Agreement, Whittier agreed to use the property acquired or developed with grant monies under this Agreement only for the purpose for which it requested District

grant monies and will not permit any other use of the area, except as allowed by specific act of the Board of Supervisors as the governing body of the District. (Uses of Facilities, J.1). In the Project Agreement, Whittier further agreed that it would not, without the prior written consent of the District, permit the use of any portion of the Project by any private person or entity, other than on such terms as may apply to the public generally or enter into any contract with a private entity for the management or operation of the Project or any portion thereof. (Project Administration, D.9). The Project Agreement further requires that any changes to the Project from that set forth in the Application require prior District approval. (Project Execution, B.10) Finally, in the Project Agreement, Whittier agreed to comply with the Proposition A Procedural Guide, which expressly requires "prior District approval" for (1) any proposed lease agreement with a non-government entity and (2) any non-governmental use, operations, management or other activity on the site.

Pursuant to Proposition A and the Project Agreement, the District is reviewing the Project as both a change of use of the Whittier Hills Property and as a disposition of less than the entire interest in the property originally acquired by Whittier. In conducting this review, the District is also acting as a responsible agency as defined and empowered under the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 *et seq.* and the CEQA Guidelines, section 15096. The District will submit a recommendation regarding the Project, the change of use, and the disposition to the Board of Supervisors for its consideration.

The District's review will include, but may not be limited to, the following documents: (1) documents contained in the Joint Exhibit List of exhibits prepared for the lawsuit entitled *Mountains Recreation and Conservation Authority v. Whittier, et al.*, Case No. BS136211 (the "MRCA Lawsuit"); (2) the June 6, 2013 Order of Los Angeles Superior Court Judge James C. Chalfant following trial in the MRCA lawsuit; (3) the Final Environmental Impact Report prepared and certified by Whittier for the Project, (4) documents received by the District from Whittier pursuant to a November 2012 Public Records Act request; and (5) documents available on Whittier's website on the page entitled "Mineral Extraction in the Whittier Hills."

The District requests that Whittier submit any additional materials it wishes the District to consider as part of its review of the Project. Additionally, the District requests that Whittier provide any additional information regarding whether the Project is consistent with Proposition A and the Project Agreement, including Section 16 of Proposition A, how Whittier has spent past rental income from the Project and how Whittier proposes that any proceeds (including royalties and any other payments) from the Project be spent.



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The District requests that Whittier please submit any additional materials that Whittier wishes the District to consider to the District by September 11, 2013 at 5:00 p.m. Please send the materials to the District at the address listed on the first page of this letter and to my attention. If the District does not receive any additional materials from Whittier by September 11, 2013, the District will move forward with its review based on the documents listed above and the information it already has about the Project from Whittier.

The District will notify Whittier of the date that the Board of Supervisors will consider this matter. If you have any questions, please contact Jane Beesley at (213) 738-2981.

Sincerely,

A handwritten signature in black ink that reads "Russ Guiney". The signature is written in a cursive, flowing style.

Russ Guiney, Director  
Los Angeles County Regional Park and Open Space District